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FACSIMILE TRANSMITTAL SHEET

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| TO: | FROM: |
| EXAMINER LUU | KENNETH KEELING |
| COMPANY: | DATE: |
| USPTO | 06/27/2003 |
| FAX NUMBER: | TOTAL NO. OF PAGES INCLUDING COVER: |
| 703.605.0586 | 30 |
| PHONE NUMBER: | SENDER'S REFERENCE NUMBER: |
| | |
| RE: | YOUR REFERENCE NUMBER: |
| 37 CFR 1.8(b)(3) STATEMENT | 09/904,387 |

URGENT

FOR REVIEW

PLEASE COMMENT

PLEASE REPLY

PLEASE RECYCLE

☐ ORIGINAL WILL FOLLOW

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JUN 30 2003

GROUP 3600

Dear Examiner Luu,

Please find attached a Statement of Facts of Previous Timely Transmission of Response to Office Action of October 9, 2002 pursuant to 37 C.F.R. 1.8(b)(3). If you have any questions, please call Ken Keeling at 713.680.1447.

CONFIDENTIAL NOTICE:

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMISSION IS LEGALLY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED OR AGENT OR EMPLOYEE RESPONSIBLE FOR DELIVERY TO THE INTENDED RECIPIENT. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION, OR COPY OF THIS TELECOPY IS PROHIBITED. IF YOU HAVE RECEIVED THIS TELECOPY IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE: (713) 680-1447 OR FAX: (713) 680-8567, AND RETURN THE ORIGINAL TRANSMISSION TO US AT THE ABOVE ADDRESS VIA THE UNITED STATES POSTAL SERVICE. THANK YOU.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|-------------|---------------------------|---|----------------------------|
| Applicant: | Mark James Yunker |) | |
| | |) | |
| Serial No.: | 09/904,387 |) | Group Art Unit: 3653 |
| | |) | |
| Filed: | 07/12/2001 |) | Examiner: Daniel K. Schlak |
| | |) | |
| For: | Slide For Sorting Machine |) | |

June 27, 2003

Commissioner for Patents and Trademarks
Washington, D.C. 20231**STATEMENT OF FACTS OF PREVIOUS TIMELY TRANSMISSION
OF RESPONSE TO OFFICE ACTION OF OCTOBER 9, 2002**

This paper is submitted in response to the request for statement complying with 37 C.F.R. 1.8(b)(3) attesting to facts surrounding the prior timely transmission of a Response to Office Action of October 9, 2002. A Statement and supporting Exhibits are attached hereto.

CERTIFICATION UNDER 37 C.F.R. 1.8(a)

I hereby certify that on the date shown below, this correspondence is being transmitted via facsimile to (703) 605-0586.

6/27/02
Date

K. A. Keeling
Kenneth A. Keeling
Registration No. 31,842

STATE OF TEXAS §
 §
 COUNTY OF HARRIS §

AFFIDAVIT OF KENNETH A. KEELING

Before me, the undersigned authority, on this day personally appeared Kenneth A. Keeling who, upon oath, deposed and stated as follows:

1. "My name is Kenneth A. Keeling. I am an attorney licensed to practice in the State of Texas. I am fifty-five years of age and have been registered to practice before the USPTO since 1985. I am under no legal disability. I am in all ways qualified to make this affidavit. I have personal knowledge of the facts stated herein and the stated of facts are true.

2. I am making this statement pursuant to 37 C.F.R. 1.8(b)(3).

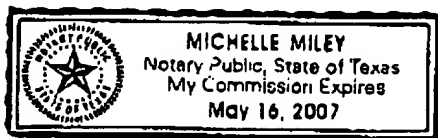
3. On December 27, 2002 I transmitted to Gerald Goldberg at the USPTO via facsimile a Response to the Office Action of October 9, 2002. The Response to the Office Action of October 9, 2002 was sent to facsimile number 703.308.2177. Exhibit A, attached hereto, is a copy of the original Response to Office Action of October 9, 2002. Exhibit B, attached hereto, is a copy of the original Fax Cover Sheet for the Response to Office Action of October 9, 2002, and Exhibit C, attached hereto is a copy of the Fax Log Report indicating that 17 pages were sent to 703.308.2177 on December 27, 2002.

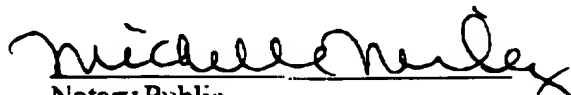
4. On April 21, 2003, in response to a Notice of Abandonment received by me, I transmitted a copy of the Response to Office Action of October 9, 2002 (Exhibit A) to Daniel K. Schlak at the USPTO via facsimile on April 21, 2003. I also included a copy of the original Fax Cover Sheet (Exhibit B) and a copy of the original Fax Log Report (Exhibit C). In addition, I sent copies of the Power of Attorney, Assignment of Invention, Recordation Form Cover Sheet (Patents Only), the Fax Cover Sheet from December 13, 2002 and the Fax Log Report dated December 13, 2002. Exhibit D, attached hereto, is a copy of the April 21, 2003 Fax Cover Sheet for the Response to Notice of Abandonment. Exhibit E, attached hereto, is a copy of the Fax Log Sheet of April 21, 2003. Exhibit F, attached hereto, is a copy of the Power of Attorney. Exhibit G, attached hereto, is a copy of the Assignment of Invention. Exhibit H, attached hereto, is a copy of the Recordation Form Cover Sheet (Patents Only). Exhibit I, attached hereto, is a copy of the Fax Cover Sheet from December 13, 2002. Exhibit J, attached hereto, is a copy of the Fax Log Sheet from December 13, 2002."

Further Affiant sayeth not.


 Kenneth A. Keeling

This document was acknowledged before me, the undersigned authority, on this 27 day of June 2003.




 Notary Public
 State of Texas